

AN EMERGENCY ORDINANCE DECLARING THE DETERMINATION OF THE BOARD OF COMMISSIONERS OF THE CITY OF LAS VEGAS, NEVADA, TO MAKE CERTAIN PUBLIC IMPROVEMENTS IN THE CITY OF LAS VEGAS BY INSTALLING A SANITARY SEWER ALONG CERTAIN STREETS AND PORTIONS OF STREETS AND EASEMENTS THEREIN; TO CREATE SANITARY SEWER IMPROVEMENT ASSESSMENT DISTRICT NO. 200-12 FOR THE PURPOSE OF MAKING SAID IMPROVEMENTS, AND TO DEFRAY THE ENTIRE COSTS AND EXPENSES THEREOF BY SPECIAL ASSESSMENTS MADE ACCORDING TO THE FRONTAGE, FIXING A TIME IN WHICH PROTESTS AGAINST THE PROPOSED IMPROVEMENTS OR THE CREATION OF SUCH DISTRICT MAY BE HEARD AND CONSIDERED BY SAID BOARD, DIRECTING NOTICE THEREOF TO BE GIVEN AND PROVIDING OTHER MATTERS RELATING THERETO.

WHEREAS, certain areas in the City of Las Vegas, Nevada, are without adequate sewer improvements, and

WHEREAS, the said Board of Commissioners deems it expedient and desirable to create Sanitary Sewer Assessment District No. 200-12 for the purpose of installing along certain streets and portions of streets and easements herein-after particularly described, a sanitary sewer composed of vitrified clay pipe, and to defray the entire cost and expense thereof by special assessments made according to frontage against the owners and assessable lots, premises and property specially benefited by such improvements and included within said district; and

WHEREAS, there is not included within said district any lands belonging to the City or public grounds not taxable, and in no case does the estimated amount of any special assessment upon any lot or premise for said improvements exceed 50% of the value of such lot or premise as shown upon the latest tax list or assessment roll for State and County tax, and

WHEREAS, at a regular meeting of the Board of Commissioners of the City of Las Vegas, held on the 17th day of December, 1953, upon motion of Commissioner Whipple and duly seconded by Commissioner Pascale and unanimously carried, a resolution was adopted and approved directing the City Engineer to make estimates of the expense thereof and plats, diagrams and plans of work and of the locality to be improved, and to file such estimates, plats, diagrams, and plans with the City Clerk for public examination, and

WHEREAS, on the 25th day of March, 1953, said estimates, plats, diagrams and plans were so filed.

NOW, THEREFORE, THE BOARD OF COMMISSIONERS OF THE CITY OF LAS VEGAS DOES ORDAIN AS FOLLOWS:

Section 1. That the Board of Commissioners of the City of Las Vegas, Nevada, does hereby declare its determination to make certain public improvements by installing a sanitary sewer along certain streets and parts of streets and easements therein, to create a special assessment district therefor, and to defray the entire cost and expense by special assessments made according to frontage against the owners and upon the assessable lots and premises specially benefited by such improvements and included within said district.

Section 2. That the Board proposes to make said improvements by installing a sanitary sewer in and along certain streets and portions of streets and easements therein, said sewer to be composed of eight inch vitrified clay pipe, together with such appurtenances as may be required, as is more particularly shown by the plats, diagrams and plans of the work and locality to be improved, now on file in the office of the City Clerk of the City of Las Vegas.

Section 3. That the streets and parts of streets and easements in and along which the Board proposes to install eight inch vitrified clay pipe, are the following:

From the manhole at the intersection of Desert Lane and Hastings North 0°05'26" East along the center line of Desert Lane 441.71 feet to a point; Thence North 89°53'30" West through a utility easement a distance of 355 feet to a point; thence South 0°06'30" East a distance of 62.20 feet to a point; thence Westerly along the center line of Bearden Way a distance of 510.92 feet.

Section 4. That the special assessment district which it is proposed to create, shall be designated Sanitary Sewer Improvement Assessment District No. 200-12, and shall include all the lots, premises and property to the full depth of such, fronting, adjoining and abutting on said streets and parts of streets, and easements.

Section 5. That the City Clerk shall keep the plats, diagrams and plans of the work and locality to be improved, together with the estimates of the expense thereof, on file in her office for public inspection and examination.

Section 6. That the Board of Commissioners of said City will meet at the City Hall in said City on Monday, the 6th day of April, 1953, at the hour of 8:00 o'clock P. M., to hear and consider any

suggestions and objections that may be made by parties in interest to the proposed improvements, or any matter relating thereto. Objections to said proposed improvements, or any matters relating thereto, may be filed in writing in the office of the City Clerk at any time prior to said meeting.

SECTION 7. That the City Clerk shall give notice of the filing of said estimates, plats, diagrams, and plans with the City Clerk for examination of the proposed improvements or work, of the location of the improvement, of the district to be assessed, and of the time when the Board will meet and consider any suggestions and objections that may be made by parties in interest to the proposed improvements. Said notice shall be given by publication once a week for two successive weeks in the Las Vegas Sun, a daily newspaper published in said City of Las Vegas, and also by posting said notices in three public places near the site of said proposed work.

SECTION 8. That all by-laws, orders, resolutions and ordinances, or parts of by-laws, orders, resolutions and ordinances, in conflict with this ordinance, are hereby repealed.

SECTION 9. That if any one or more sections, sentences, clauses or parts of this ordinance shall, for any reason, be questioned or be held invalid, such judgment shall not affect, impair or invalidate the remaining provisions of this ordinance, but shall be confined in its operation to the specific sections, sentences, clauses or parts of this ordinance so held unconstitutional and invalid, and the inapplicability and invalidity of any section, sentence, clause or part of this ordinance, in any one or more instances shall not affect or prejudice in any way the applicability and validity of this ordinance in any other instance.

SECTION 10. That by reason of the fact that the sewer system of the City of Las Vegas is inadequate to meet the present and future needs of the City and its inhabitants and that it is necessary immediately to raise funds to extend said sewer system, therefore, it is hereby declared that an emergency exists, and that this ordinance is necessary for the immediate preservation of the public peace, health and safety.

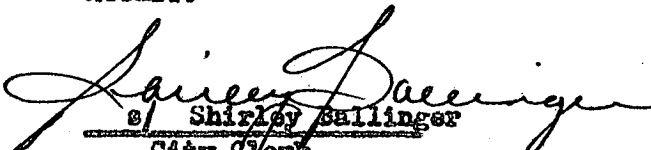
SECTION 11. That the City Clerk and Clerk of the Board of Commissioners of the City of Las Vegas, shall cause this ordinance to be published once a week for two successive weeks immediately following its final reading and adoption in the Las Vegas Sun, a daily newspaper published in said City, and this ordinance shall become effective immediately following the second publication hereof.

PASSED, ADOPTED AND APPROVED this 25th day of March, 1953.


s/ C. D. Baker
Mayor

(SEAL)

ATTEST:


s/ Shirley Sallinger
City Clerk

Commissioner Bunker then seconded the motion to adopt the foregoing ordinance. The question being upon the adoption of said ordinance, the roll was called with the following result:

Those voting "Aye":

Commissioner	<u>Bunker</u>
Commissioner	<u>Jarrett</u>
Commissioner	<u>Peccole</u>
Commissioner	<u>Whipple</u>
Mayor	<u>Baker</u>
Absent:	<u>None</u>

Those voting "Nay": None

Thereupon, the presiding officer declared said motion carried and the ordinance duly passed and adopted.

It was then moved by Commissioner Peccole and seconded by Commissioner Bunker, that all rules of this Board which might prevent, unless suspended, the final passage and adoption of this ordinance at this meeting be, and the same are hereby, suspended for the purpose of permitting the final passage and adoption of said emergency ordinance at this meeting.

The question being upon the adoption of said motion and the suspension or the rules, the roll was called with the following result:

Those voting "aye":

Commissioner	<u>Bunker</u>
Commissioner	<u>Jarrett</u>
Commissioner	<u>Peccole</u>
Commissioner	<u>Whipple</u>
Mayor	<u>Baker</u>
Absents	<u>None</u>

Those voting "Nay" None

The presiding officer declared said motion carried and the rules suspended.

Commissioner Peccole then moved that said ordinance heretofore introduced and read in full at this meeting be now placed upon its passage.

Commissioner Bunker seconded the motion, and the question being upon the placing of said ordinance upon its passage, the roll was called with the following result:

Those voting "Aye":

Commissioner	<u>Bunker</u>
Commissioner	<u>Jarrett</u>
Commissioner	<u>Peccole</u>
Commissioner	<u>Whipple</u>
Mayor	<u>Baker</u>
ABSENT:	<u>None</u>

Those voting "Nay" None

The presiding officer declared the motion carried and the ordinance placed upon its final passage.

Commissioner Peccole then moved that said ordinance be passed and adopted as read and as an emergency ordinance. Commissioner Bunker seconded the motion. The question being upon the passage and adoption of said ordinance, the roll was called with the following result:

Those voting "Aye"	<u>Bunker</u>
Commissioner	<u>Jarrett</u>
Commissioner	<u>Peccole</u>
Commissioner	<u>Whipple</u>
Commissioner	<u> </u>
Mayor	<u>Baker</u>
ABSENT:	<u>None</u>

Those voting "Nay" None

The presiding officer thereupon declared that all commissioners having voted in favor thereof, said motion was carried and said ordinance was duly passed and adopted as an emergency ordinance.

On motion duly adopted, it was ordered that said emergency ordinance be numbered 537 and after approval by the Mayor shall be published as in said ordinance designated, and shall be recorded according to law.

There being no further business to come before the Board of Commissioners

the meeting was, on motion duly made, seconded and carried, adjourned.

s/ C. D. Baker
Mayor

(SEAL)

ATTEST:

s/ Shirley Ballinger
City Clerk

Emergency Ordinance No. 537 copied into City of Las Vegas

Commissioners' Minute Book No. 8.

STATE OF NEVADA)
COUNTY OF CLARK) SS
CITY OF LAS VEGAS)

A special meeting of the Board of Commissioners of the City of Las Vegas, Clark County, Nevada, was held on Wednesday, the 25th day of March, 1953, at the hour of 7:30 o'clock P.M., at the City Hall, being the regular meeting place of said Board, at which meeting there were present and answering the roll call, the following:

Mayor	<u>C. D. Baker</u> ,
Commissioner	<u>Wendell Bunker</u> ,
Commissioner	<u>Rex A. Jarrett</u> ,
Commissioner	<u>William Peccole</u> ,
Commissioner	<u>Reed Whipple</u> ,
ABSENT:	<u>None</u> ,

constitution all of the members of said Board. There was also present the following:

City Manager	<u>C. W. Shelley</u> ,
Asst. City Mgr.	<u>Dora Lord</u> ,
City Attorney	<u>Howard W. Cannon</u> ,
City Clerk	<u>Shirley Ballinger</u> ,
City Engineer	<u>C. C. Boyer</u> ,
ABSENT:	<u>None</u> ,

Thereupon, the following proceedings, among others, were duly had and taken.

Commissioner Peccole introduced and moved the adoption of the following emergency ordinance, which was thereupon read in full, and at length, and is as follows:

CITY
CLERK'S
FILE

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA, }
COUNTY OF CLARK } ss.

Richard Lochrie, being first duly sworn,

deposes and says: That he is Foreman of the
LAS VEGAS MORNING SUN, a daily newspaper of general circulation, printed and
published at Las Vegas, in the County of Clark, State of Nevada, and that the
attached was continuously published in said newspaper for a period of two weeks

from March 27, 1953 to April 3, 1953

inclusive, being the issues of said newspaper for the following dates, to-wit:

March 27, April 3, 1953

That said newspaper was regularly issued and circulated on each of the dates
above named.

Signed

Richard Lochrie

Subscribed and sworn to before me this 14th
day of April, 1953

Barbara J. Green

Notary Public in and for Clark County, Nevada.

My Commission Expires

My Commission Expires Mar. 17, 1956

EMERGENCY ORDINANCE NO. 537
AN EMERGENCY ORDINANCE DECLAR-
ING THE DETERMINATION OF THE
BOARD OF COMMISSIONERS OF THE
CITY OF LAS VEGAS, NEVADA, TO
MAKE CERTAIN PUBLIC IMPROVE-
MENTS IN THE CITY OF LAS VEGAS
BY INSTALLING A SANITARY SEWER
ALONG CERTAIN STREETS AND POR-
TIONS OF STREETS AND EASEMENTS
THEREIN; TO CREATE SANITARY
SEWER IMPROVEMENT ASSESSMENT
DISTRICT NO. 200-12 FOR THE PUR-
POSE OF MAKING SAID IMPROVE-
MENTS; AND TO DEFRAY THE ENTIRE
COSTS AND EXPENSES THEREOF BY
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ING A TIME IN WHICH PROTESTS
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MENTS OR THE CREATION OF SUCH
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WHEREAS, there is not included within said district any lands belonging to the City or public grounds not taxable, and in no case does the estimated amount of any special assessment upon any lot or premise for said improvements exceed 50% of the value of such lot or premise as shown upon the latest tax list or assessment roll for State and County tax, and

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SECTION 5. That the City Clerk shall keep the plats, diagrams and plans of the work and locality to be improved, together with the estimates of the expense thereof, on file in her office for public inspection and examination.

SECTION 6. That the Board of Commissioners of said City will meet at the City Hall in said City on Monday, the 6th day of April, 1953, at the hour of 8:00 o'clock P. M., to hear and consider any suggestions and objections that may be made by parties in interest to the proposed improvements, or any matter relating thereto. Objections to said proposed improvements, or any matter relating thereto, may be filed in writing in the office of the City Clerk at any time prior to said meeting.

SECTION 7. That the City Clerk shall give notice of the filing of said estimates, plats, diagrams, and plans with the City Clerk for examination of the proposed improvements or work, of the location of the improvement, of the district to be assessed, and of the time when the Board will meet and consider any suggestions and objections that may be made by parties in interest to the proposed improvements. Said notice shall be given by publication once a week for two successive weeks in the Las Vegas Sun, a daily newspaper published in said City of Las Vegas, and also by posting said notices in three public places near the site of said proposed work.

SECTION 8. That all by-laws, orders, resolutions and ordinances, or parts of by-laws, orders, resolutions and ordinances, in conflict with this ordinance, are hereby repealed.

SECTION 9. That if any one or more sections, sentences, clauses or parts of this ordinance shall, for any reason, be questioned or be held invalid such judgment shall not affect, impair or invalidate the remaining provisions of this ordinance, but shall be confined in its operation to the specific sections, sentences, clauses or parts of this ordinance so held unconstitutional and invalid, and the inapplicability and invalidity of any section, sentence, clause or part of this ordinance, in any one or more instances shall not affect or prejudice in any way the applicability and validity of this ordinance in any other instance.

SECTION 10. That by reason of the fact that the sewer system of the City of Las Vegas is inadequate to meet the present and future needs of the City and its inhabitants and that it is necessary immediately to raise funds to extend said sewer system, therefore, it is hereby declared that an emergency exists, and that this ordinance is necessary for the immediate preservation of the public peace, health and safety.

SECTION 11. That the City Clerk and Clerk of the Board of Commissioners of the City of Las Vegas, shall cause this ordinance to be published once a week for two successive weeks immediately following its final reading and adoption in the Las Vegas Sun, a daily newspaper published in said City; and this ordinance shall become effective immediately following the second publication hereof.

PASSED, ADOPTED AND APPROVED this 25th day of March, 1953.

s/ C. D. BAKER
Mayor

(SEAL)
ATTEST:

s/ SHIRLEY BALLINGER,
City Clerk

Those voting for the adoption of the foregoing ordinance are as follows:

Those voting "Aye":

MAYOR C. D. BAKER
COMMISSIONER WENDELL BUNKER
COMMISSIONER REX A. JARRETT
COMMISSIONER WILLIAM PECCOLE
COMMISSIONER REED WHIPPLE

Those voting "Nay": NONE.

Absent: NONE.

March 27, April 3, 1953